

NEW JUDGE, NEW MAGISTRATES

GOV. HUGHES SENDS WHITMAN TO GENERAL SESSIONS' BENCH.

The Mayor Appoints Corrigan, Droege and Gilroy Magistrates Under the Night Court Act and Is Going to Maine on Vacation With New Vacancy to Fill.

Gov. Hughes made City Magistrate Charles S. Whitman a Judge of the Court of General Sessions yesterday and thus, so the Magistrate is advised, created immediately a vacancy on the Magistrate's bench, which the Charter says shall be filled within thirty days. The Mayor expects to start this morning on his vacation, which is to last until August 20 unless he should make a trip back to town before that date. Still there is no penalty for failing to fill the vacancy in thirty days, or if the Mayor stays away thirty days Acting Mayor M. Gowan can appoint. The chances are that the vacancy will be filled on August 21.

It is understood that Judge Whitman will qualify to-day. Gov. Hughes does not intend to fill at present the other vacancy on the General Sessions bench.

The appointment came to Magistrate Whitman unlooked for. He knew nothing of the Governor's intention to name him until he received a message yesterday from the Governor's secretary. The term to which he is appointed expires on January 1. His term as City Magistrate has seven years to run, at \$7,000 a year, but he will accept the appointment.

He was appointed a Magistrate by Mayor Low in 1903. He had been selected by Corporation Counsel Rives to watch legislation in Albany and he acquitted himself of his duties there so well that Mayor Low made him his confidential legal adviser. He has fought the bondman's graft from the day of his appointment, and his crowning achievement in the fight came only the other day, when Gov. Hughes signed the night police court bill. Magistrate Whitman drew this bill and was the leading spirit behind the fight that was made for its passage in the Legislature.

Although a junior member of the Board of Magistrates, Mr. Whitman was elected president last February. He is a Republican, but never has been an active worker. He was selected to head the board as a compromise candidate. There had been a deadlock for several weeks between the McClellan and Murphy men. The retirement of Magistrate Whitman will give the McClellan men an opportunity to elect a president. The new appointments will give the two new appointments which have been made under the night police court act.

Magistrate Whitman is 36 years old. He was graduated from Amherst College with high honors and studied law in this city while he was teaching in Adelphi College, Brooklyn. He is a member of the Union League, University, City and Republican clubs.

Mayor McClellan named yesterday the three new Magistrates provided for in the night court bill. The men appointed are Joseph E. Corrigan, John P. Droege and Nathan C. Gilroy. The Mayor appointed them for full terms of ten years at \$7,000 a year.

Mr. Corrigan was graduated from Seton Hall in 1905 and from the Columbia law school in 1901. He was admitted to the bar the same year. He was appointed Deputy Assistant District Attorney in 1903 and served in that capacity up to the time of his appointment. He is a member of the Bar Association, the City Club and the Tammany general committee. He is a Catholic, and his wife is the late Archdeacon Corrigan's daughter. He was indorsed by District Attorney Jerome and other members of the bar.

Mr. Droege was graduated from the University of Maryland in 1900 and admitted to the bar the same year. He practiced law in the office of John P. Poe of Baltimore and moved to this city in 1906, where he has been engaged in the practice of law since. He is a resident of the Eighteenth Assembly district and is a member of the Wyandott Club and of the Tammany general committee. He is also a member of the Arion, the New York Masonic Order, the Liederkreis and the Plattdeutsche societies. Among his indorsers are ex-Senator Henry Gansaway Davis of West Virginia, Herman Ridder, Francis L. Wellman, Prof. Henry Wood of Johns Hopkins University, Hugo Schomer, Senator Rayner of Maryland, Edgar Allan Poe and St. Johnson Poe.

Mr. Gilroy is a lawyer living at Far Rockaway and is the third son of Mayor Thomas F. Gilroy. He is 30 years old, was born in New York and was graduated from the New York Law School in 1901. He practiced law in Manhattan until a short time ago, when he moved to Far Rockaway. He is a member of the regular Queens county Democratic organization and a bachelor.

COREAN EMPEROR ABDICATES

TRIUMPH FOR JAPANESE-PUBLIC CEREMONY TO-DAY.

Hayashi Was on His Way to Seoul to Remonstrate Because of Korean Delegation Sent to Hague Conference—Succession in Doubt—People Greatly Excited.

Special Cable Dispatch to THE SUN.
TOKYO, July 19.—Private telegrams from Seoul state that in consequence of the action of the Council of State and Senior Statesmen last night the Emperor of Korea, Yi-Hyung, has decided to relinquish the throne.

The ceremony of abdication will take place this morning. Earlier despatches from Seoul were to the effect that the Emperor sent for Marquis Ito. The audience was set for the afternoon and it is believed that it was at that time that the Emperor announced his decision.

In the afternoon the Ministry offered its resignation to the Emperor. It had an appointment to be received by the Emperor last evening after the conference with Marquis Ito.

The Japanese State Council determined on July 10 the Government's Korean policy. The approval of the Government at St. Petersburg was obtained before despatching Foreign Minister Hayashi to Seoul.

In an interview at Shimomotoke Minister Hayashi said that he hoped an amicable settlement of the Korean trouble would be reached. He intimated that should the Korean Emperor wish to come to Tokyo to apologize for sending a delegation to The Hague he would accompany him.

Seoul reports great commotion in court circles. For nine hours the Cabinet was in council at the palace on Wednesday, during which the Emperor summoned Marquis Ito, who order the latter declined to obey. After this, preparations were discovered that the Emperor had planned to take refuge in the Russian consulate.

Corean politicians apparently regard a change of rulers as inevitable. The Ichinhui, a pro-Japanese party, has issued a manifesto declaring that it is more important to uphold the Imperial House than the Emperor.

It is, however, practically a triangular contest, as the line of succession must be either the imbecile Crown Prince, the disaffected Prince Wihwa or an eleven-year-old Prince. The most powerful faction backs the imbecile Prince.

In the meantime Seoul is placarded with posters demanding the annihilation of the Japanese, and anti-Japanese meetings are being held in the provinces. Crowds are pouring into Seoul.

Yi-Hyung succeeded King Toghyl-jong on January 1, 1894, and was King until he proclaimed himself Emperor on October 12, 1897. He was born in 1862 and was married in 1880 to a daughter of Prince Min Tshihok, who was murdered in 1885. His successor would regularly be his son, Yi-Syuk, who was born in 1874.

The Emperor's abdication is actually the result of Japan's effort to limit the sovereign power in some form whereby the ruler can exercise his powers only with the consent and approval of the Japanese resident-general. It was hastened by the appearance of a Korean deputation at the Hague peace conference.

Yi-Hyung has protested his ignorance of this move and has hitherto refused to take the advice of his Ministers and surrender the throne, on the ground that it would tend to confirm his relation thereto. But Viscount Hayashi, the Japanese Minister of Foreign Affairs, is on his way to Seoul, with the design, it is supposed, to serve on the Emperor the ultimatum that he either abdicate or apologize for The Hague delegation and acknowledge the treaty of November 17 last, which Yi-Hyung says he never signed.

At the Emperor's palace Japanese police recently replaced Koreans in anticipation of the present turn of affairs. The Yi-Ching Hoi, a progressive pro-Japanese party in Korea, with a membership of more than a million, has been openly hostile to the Emperor. He is reported as having been too worried of late either to eat or sleep.

He has always been exceedingly distrustful of those about him. At each meal he had his boiled rice served in a leaden silver bowl, of which he always kept the key.

In 1905 Queen Min, the consort of Yi-Hyung, was assassinated and her body was cremated in the royal palace at Seoul by Japanese ruffians. For a time after that the Emperor slept by day and held his Cabinet meetings at night. It is said that his two greatest fears since then have been assassination and the return from Japan of Korean nobles who had been exiles.

The Emperor personally has been described as a "pleasant gentleman." The Crown Prince studied in Japan and was tutored by the scholarly American missionary the Rev. James S. Gale, who did an unabridged dictionary into the Korean tongue. The Prince has forsaken Korean dress for tight Western costume.

The danger point in Korea has been a corrupt court dominated by eunuchs and soothsayers. But Marquis Ito has insisted upon a firm but kindly policy of education and industrial development supported by a wise religious and moral propaganda which would, he hoped, finally reach upon court circles.

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MRS. BIRDSONG GOES FREE.

Gov. Vardaman in Granting Pardon Declares Belief in Unwritten Law.

JACKSON, Miss., July 18.—Gov. Vardaman this afternoon granted an unconditional pardon to Mrs. Birdsong.

Mrs. Birdsong was convicted of the murder of Dr. Butler, her family physician, who, she claimed, had insulted her. She was sentenced to prison for five years. Her case was appealed and the sentence was affirmed. She has never been in prison.

In announcing the pardon of Mrs. Birdsong Gov. Vardaman declared his belief in the unwritten law. "I believe it should prevail in this State," he said.

The pardon was granted at the conclusion of the hearing granted by the Governor on the subject. The delegation from Lawrence county, which had come to protest against Mrs. Birdsong's application, returned home highly indignant at Gov. Vardaman's action.

GUGGENHEIM'S FRIEND IN JAIL.

John T. Keegan Arrested for Alleged Stock Deal While Dining With Senator.

MARINETTE, Wis., July 18.—John T. Keegan, mine promoter, friend of Senator Guggenheim of Colorado and a former member of the United States Secret Service, is in the county jail here awaiting examination on a charge of obtaining money under false pretences.

Keegan so far has been unable to secure bail, fixed at \$5,000, although he is in communication with influential friends who, he says, will furnish it. Officers have been trying to find Keegan for six weeks.

Extradition papers were secured for him and an officer was sent to Denver, but he had left Monday night. He was found at the Auditorium Hotel, Chicago, where he was dining with United States Senator Guggenheim. The deputy sheriff who arrested Keegan called him from the table.

Keegan admitted that he had introduced him to Guggenheim as a friend. The deputy remained throughout the dinner and Keegan came to Marquette the next day.

The specific charge is that he sold \$2,500 of stock in the Kimberley Mining Company which he failed to deliver. The complainants are Dr. Gregory and Thomas Brown, local capitalists. It is alleged that Keegan sold \$30,000 of the stock.

GOING-UPS GO ON STRIKE.

Common Unions Committed in Trust Company of America Building.

The elevator men employed in the new Trust Company of America building went on strike at noon yesterday after a request for higher wages had been refused. The strike was declared without any notice, and the managers of the building accordingly had made no arrangements for elevator men. After half an hour one of the strikers persuaded to come back and at the same time two men employed in other capacities were pressed into service. A slow and hesitating service was maintained the rest of the afternoon.

Many tenants went without lunch rather than walk down and up many flights of stairs on a day that was hot and humid. Others who had imperative business engagements within or outside the building sweated and swore tremendously as they plodded up and down the twentieth floor, walked down to the street shortly after noon and then discovered that he had left in his office papers which he absolutely had to have for a business engagement. He was a fat man and just did manage to make the round trip, but said that he would rather jump from the top of the building than try it again.

CANNED EGG MAN ARRESTED.

Romer is Charged With Conducting His Business Under a False Name.

HENRY ROMER, who has been doing a wholesale business in canned and frozen eggs at 21 Jay street under the name of the Henry Sloane Company, was arrested yesterday by Lieut. McConville for conducting his business under an assumed name and for not registering his business name with the County Clerk.

At Police Headquarters, where Romer was locked up, it was known that he was a complainant against Romer, it was said that he was arrested two years ago in Boston by the Federal authorities and sent to Minnesota, where he had been charged with swindling farmers in egg purchases. He was sent to jail there, it was said. Romer is said to have started the Henry Sloane Company in Boston several years ago, but his partners didn't like his business deals and got rid of him.

Romer gave his address as 77 East 118th street, but it was said that he had moved away some time ago and was thought to be living in Baltimore. He came originally from Newark, where his mother, widow of Police Sergeant Jaegers, now lives.

Romer recently got the contract for supplying the National Biscuit Company with canned and frozen eggs, and has been an active buyer in the market here, frequently purchasing 100 cases a day.

Mrs. Emma Jaegers, who lives in Newark, said last night that she was surprised when she learned that her son was under arrest. Mrs. Jaegers said Romer is her son by her first marriage and that about three years ago he changed his name to Sloane, simply because he didn't like his own name. She said her son was employed by a Mr. Norton, an egg dealer of Buffalo, where her son made his home when not travelling for Norton.

JAIL SENTENCES SUSPENDED.

Toledo, Ohio, Anti-Trust Cases Carried to the Circuit Court.

TOLEDO, Ohio, July 18.—The Circuit Court to-day indefinitely suspended the workhouse sentences imposed upon the two bridge combine agents and the twenty-three Toledo lumbermen and the \$10,000 fines assessed against the local brickmen by Judge Morris in the Common Pleas Court for violations of the Valentine anti-trust law.

The petitions in error in behalf of the sentenced men were read by Judges Parker and Wildman, who spent considerable time hearing the arguments.

It was declared by the attorneys that the Valentine law did not stipulate where the men should be imprisoned. Questions involving the validity of the law were also presented.

FARMER KILLED BY LIGHTNING

GREAT DAMAGE BY STORM IN AND NEAR ASBURY PARK.

Several Stores and Cottages Struck—Bed Shattered, but Occupant is Unhurt—Woman Paralyzed While Sewing—\$25,000 Damage in New Brunswick.

ASBURY PARK, N. J., July 18.—There was a severe storm on the coast this afternoon, which continued for five hours, accompanied by almost incessant thunder and lightning. In Asbury Park and vicinity the fire companies were kept constantly on the move. Several cottages and business houses were struck by bolts, one man was killed, a woman was paralyzed and the lightning played strange antics.

Antanas Macilinas, a Russian farmer, was struck down while at work in a field near New Bedford. When found an hour afterward he was dead. A beanpole that stood before the storm forty feet from where the body was found had been splintered.

Mrs. H. E. Annabell of Bradley Beach had a remarkable experience. A lightning bolt struck the bed in which she was lying. The bedstead was shattered, but the occupant was unhurt.

An odd vagary of lightning was shown in the experience of Mrs. Edward Brown on West Asbury avenue. She was sewing when the lightning struck a needle in her hand. The heavy current passed into her body and she is now paralyzed.

A cottage on Sewall avenue in Asbury Park in which E. Van Riper of New York was spending the summer was struck by a bolt which tore through the roof and was followed by fire. The two upper stories were gutted.

Proctor's furniture store on Stockman avenue was struck and Mrs. G. C. Graham, an Ocean Grove teacher, was also shocked by a lightning bolt.

At Hamilton, west of here, the church and the residence of Andrew Simpson, a farmer, were damaged. Mrs. Simpson, who was in the house at the time, was badly burned. Furniture and partitions in five rooms were broken, but there was no fire.

The farmhouse of the late Goodenough Jackson in Green Grove was set on fire by a bolt, but neighbors extinguished the flames. Addison Miggs's barn, opposite the county house, also was damaged by lightning.

In the back country the storm was very severe. It uprooted trees and seriously damaged crops.

NEW BRUNSWICK, N. J., July 18.—A near cloudburst struck this city at 1 o'clock to-day and caused about \$25,000 damage.

Willow Grove Cemetery on Morris street was converted into a lake, and small headstones were covered. Lightning struck Engine House 1 and completely wrecked it. The horses were saved, but with difficulty, on account of the flood. The cupola of Columbia Hall was shattered by a bolt.

The beautiful country home of the late Judge A. V. Schenck was struck. It is just a year since lightning hit it before, three feet from the place shattered to-day. The grounds of Hugh Boyd, proprietor of the Home News, were submerged and his horses nearly drowned in the stable.

Heroic efforts were made to save the handsome home of the New Brunswick Boat Club. The anchor chains were broken and the permanent gangplank smashed. Extra cables were attached to the place and fastened to the bridge over the Raritan.

On one of the main streets a tree was torn from its roots and hurled against a dwelling, so that the residents had to chop their way out with an axe. Lightning struck the Neversliff factory and there was almost a panic among the employees.

PATIENT SAYS SHE'S A COUNTESS.

Believed to Believe in a Cab and Is Suffering From Hysteria.

A young woman who called herself Violet Connolly was brought to Bellevue Hospital yesterday afternoon in a cab by a man who went away as soon as she was admitted. Dr. Lindsay said she was suffering from hysteria. She will be kept for several days to recuperate.

Later on last night she said she was Violet Dene and it was recalled then that she was brought to Bellevue Hospital last year on April 12. She had with her then a little girl, also named Violet, who after a week was taken away by a Gerry society agent. Her mother said then that she was the wife of a French count and that she was on her way to France. She said that she came from Toronto. Violet Dene then had several visitors, apparently persons of substance. She had had rooms in the Fifth Avenue Hotel.

After she got out of Bellevue she tried to get the child away from the Gerry society and the case has been dragging along since.

Violet Connolly explained that Connolly was her maiden name and that she still is a countess. She said that she came down from Montreal on Tuesday last. When she got here she fainted and had to take a stimulant. Later she had hysteria and made some disturbance on Broadway until the man who was with her got her into a cab and on the way to Bellevue.

The Marlborough Hotel said last night that neither Violet Connolly nor Violet Dene had rooms there. The Countess in Bellevue said she had been staying there.

VACCINATION PARTY AT SEA.

Virus Passed Around on the Koenigsluis When Child Sickened.

The surgeon of the North German Lloyd steamship Koenigsluis, in yesterday from Mediterranean ports, vaccinated several hundred passengers on the trip. A child of a second cabin passenger fell ill of smallpox and was isolated. All the second cabin passengers who had not been vaccinated were told that they would be detained at quarantine if they were not, and they submitted themselves to the virus. The first cabin travellers read a notice telling about the development of smallpox aboard and suggesting that all who were not protected ought to be. Only a few unvaccinated objected. Some preferred to have it done elsewhere than on the arm of the ground that their friends at the pier might be careless in hugging them.

Unsurpassed Day Line Outings from Desh. at 8:40, 9:40 and 1:40. See stmbt. and exc. cos. Music. —Ad.

PEASANTS MURDER JEWS.

25 Out of 37 on Way to America Killed on Russian Frontier of Austria.

Special Cable Dispatch to THE SUN.
BUDAPEST, July 18.—The newspapers state that thirty-seven Russian Jews started to cross the Austrian frontier at night without passports, their purpose being to go to America. Peasants in the Russian village of Zvonitov, who knew the Jews had money, waylaid them with the object of robbing them.

They clubbed twenty-five, including women and children, to death and wounded others. The cries of the Jews brought the frontier guards in time to prevent them being robbed.

A few of the peasants were arrested. Most of them escaped.

\$10,000 FORECLOSURE SALE.

C. P. Huntington Estate to Enforce Judgment Against S. N. Kneeland and Others.

WHITE PLAINS, N. Y., July 18.—On July 23 more than \$500,000 worth of property in Westchester county will be sold by Referee John F. Coffin at the White Plains court house to enforce a judgment of foreclosure in a suit brought by Mrs. Arabella D. Huntington, widow of Collis P. Huntington, as executrix, and Charles H. Leed, as executor of the Huntington estate, against Sylvester X. Kneeland and others.

This sale of property is part of the foreclosure proceedings also brought against land in The Bronx and will mean the closing up of the business transaction of Mr. Huntington with Mr. Kneeland. The property in The Bronx will be sold at the Real Estate Exchange and is valued at about \$500,000.

The foreclosure suit against Kneeland was brought about by notes given by Kneeland to Isaac E. Gates, brother-in-law of Mr. Huntington, in 1891, for money loaned by Huntington. The judgment of foreclosure against the Westchester property was obtained by Mrs. Huntington on July 14, 1906. There were many legal battles in court before the arrangement for the sale of the land was made.

STEAL \$4,300 IN BOSTON STREET.

Highwaymen Held Up Elevated Railway Messenger Near Company's Office.

BOSTON, July 18.—Two men stole \$4,300 from an elevated railway messenger named Ryan in front of the Milk street offices to-day and escaped.

The money was in a leather bag and was the proceeds of yesterday's business on one division.

Three other messengers were with Ryan, but as they were carrying \$20,000 they were unable to assist him when the thieves grabbed his bag.

LEAPED FROM NIAGARA BRIDGE.

A Man Goes Over the American Falls, Waving His Hand as He Draws Near the Brink.

NIAGARA FALLS, N. Y., July 18.—This evening at 7:40 a man whose identity is not known here leaped from the bridge between the mainland and Green Island into the rapids and was swept over the American falls to death. Those who saw him say he waved his hand as he was carried by the current toward the brink.

It is known that he entered on the bridge from the Green Island end, walking alone, aided by a crutch and a cane. When about 150 feet out on the bridge he made the leap to death, leaving his cane and crutch behind, also a note which reads: "Tell my friends I have gone to glory." The note and crutch bear the initials J. D.

TICKET AGENTS CONVICTED.

U. S. Judge Will Issue Writ for Their Release From State Chain Gang.

RALPHIGH, N. C., July 18.—Judge Jeter C. Pritchard of the United States Circuit Court, who came here this morning to see what steps should be taken in regard to the case of Ticket Agent Green of the Southern Railway, returned to Asheville this forenoon to issue habeas corpus writs for Wood and Wilson, agents of the Southern Railway, who were convicted there and sentenced to thirty days each on the county chain gang.

The trial of Green in the State court was taken this morning. It was shown to the State that Green sold tickets at the old rate instead of the new rate of 2½ cents. For the defence it was shown that with every ticket sold Green issued a coupon for the difference between the old rate and the new, good for its face value in cash if the Southern Railway loses the case in which it is contesting the validity of the rate law. The trial will be concluded tomorrow.

ROBBERS USED CHLOROFORM.

Members of H. L. Jarvis's Family Held Them at Work, but Could Not Cry Out.

LONG BRANCH, July 18.—Henry L. Jarvis and his entire family, living at 507 Fifth avenue, Asbury Park, semi-conscious because of the application of chloroform, heard burglars at work in the house early this morning, but were unable either to raise an alarm or hinder them in their work. As a result Mr. Jarvis was robbed of more than \$1,000 worth of jewelry and some cash.

The thieves entered through a kitchen window and then proceeded to chloroform every member of the household. The quietness with which they did their work is surprising. Through some good luck the inmates of the house were not entirely under the drug's influence, but were unable to make any active resistance.

MANY HURT IN TROLLEY CRASH.

One Carload of Excursionists Run Into Another at New Haven.

NEW HAVEN, July 18.—A score of picnicers, members of the Taylor Congregational Church, were seriously injured in a trolley collision here to-night. Half a dozen of the twenty have internal injuries and are in a critical condition.

Two of those hurt were New Yorkers visiting here. They are Clara Stebenberger, aged 16, 209 East Eighty-third street, and Ida Nagel, aged 18, 157 Hooper street, Brooklyn. Both have internal injuries and are unconscious.

A fuse burned out, leaving the second excursion car uncontrollable and it crashed into the first at a crossing where passengers were alighting.

HEAT PROSTRATES THOUSANDS

IN THROG DRAWN BY PARADE OF ELKS IN PHILADELPHIA.

Hospitals Swamped—Victims Laid Out in Rows on Lawns—Five Dead and Fifty More Reported Dying—Wagons and Stores Used for Temporary Hospitals.

PHILADELPHIA, July 18.—In the throngs that filled the streets and stands to-day to see the Elks' parade 4,800 persons fell victims of an unusually deadly combination of heat and humidity.

Five are dead and in ten crowded hospitals to-night fifty more are dying.

Broad street, along which the parade passed, looked like a battlefield. Emergency hospitals were hastily improvised under grand stands and in side streets, while at the hospitals the stricken ones were laid in rows upon the grass outside.

Stores and wagons were converted into wards. Automobiles, carriages and every form of vehicle were pressed into service to help out the patrol wagons and ambulances.

Adulterated lemonade, which was sold freely to the crowds, was partly responsible for the many prostrations.

Chief Police Surgeon Patterson said to-night that many of the prostrations were due to the fact that the sufferers had started out early in the morning with little or no breakfast and had sat or stood in the sun for hours.

"No definite or complete record could be kept of the cases," said Dr. Patterson. "Probably twice as many as our official figures show were treated and sent directly to their homes. I have never heard of anything like it before."

In the hour that victims were falling thickest the music of the bands was almost drowned by the clanging bells of ambulances and patrols. Scenes about Broad and Arch streets, from which point the medical forces were being directed by Dr. Patterson and his staff, conveyed